

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041292 In re Sam L., Minors

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041292 In re Sam L., Minors

The juvenile court orders from which Don appeals are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040913 People v. Bustamonte

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F040913 People v. Bustamonte

The judgment is modified to reflect that defendant is to receive 271 days of presentence credits, consisting of 181 days of actual credit and 90 days of conduct credit. As modified, the judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE
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F039362 People v. Lopez

The judgment is reversed solely as to the conviction of witness dissuasion. The double jeopardy clause bars retrial. (Hudson v. Louisiana (1981) 450 U.S. 40, 40-45; People v. Trevino (1985) 39 Cal.3d 667, 699, overruled on another ground in People v. Johnson (1989) 47 Cal.3d 1194, 1221.) The superior court is directed to issue an abstract of judgment so amended and to forward a certified copy to the appropriate authorities. Lopez has no right to be present for the amendment of the abstract of judgment. (See People v. Price (1991) 1 Cal.4th 324, 407-408.) Otherwise we deny relief. Gomes, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042383 Dorothy C. v. Kings Co. Dept. of Human Services

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042047 People v. Wood

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039095 People v. Foster

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F040712 Philhart v. Philhart

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F040712 Philhart v. Philhart

The order under review is reversed. The trial court is directed to issue a new order consistent with this opinion.

By the Court.

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